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January 27, 2023

BY EMAIL AND ECF

The Honorable Analisa Torres
United States District Judge
United States Courthouse
500 Pearl Street
New York, New York 10007
Torres_NYSDChambers@nysd.uscourts.gov

Re: Proskauer Rose LLP v. O'Brien, 1:22-cv-10918-AT (S.D.N.Y.)

Dear Judge Torres:

We represent Plaintiff Proskauer Rose LLP in the above-referenced action. In accordance with Your Honor's instruction by email earlier today, we write concerning Plaintiff's January 13, 2023 motion to enforce the TRO [ECF Nos. 36–39], which became a motion to enforce the Preliminary Injunction. Although the papers filed by Defendant Jonathan O'Brien [ECF Nos. 54–58] present a highly misleading and incomplete description of the communications and correspondence between counsel preceding Plaintiff's motion, and contain legal and factual errors that we will address in opposition to Defendant's new motion filed last night, we agree that Defendant provided the password to us yesterday and, therefore, that Proskauer's motion to enforce the Preliminary Injunction is now moot and a hearing on such motion is unnecessary.

Respectfully submitted.

DEBEVOISE & PLIMPTON LLP

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